

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VASEK POSPISIL, *et al.*,

Plaintiffs,

v.

ATP TOUR, INC., *et al.*,

Defendants.

Case No. 25-cv-2207 (MMG)

DECLARATION OF LUBEN PAMPOULOV

I, Luben Pampoulov, declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1) I am a former professional tennis player and a member of the board of directors of ATP Tour, Inc. (“ATP Tour”), a Delaware non-profit membership corporation whose members are men’s professional tennis players (“Player Members”) and organizers of men’s professional tennis tournaments. I am also a partner at GSV Ventures, a venture capital firm that specializes in education technology. I graduated with a bachelor’s degree in international economics from U.C.L.A., where I led the men’s tennis team to the 2005 N.C.A.A. championship title.

2) The ATP Tour’s board of directors has nine board members. I was elected as a director by the ATP Tour Player Advisory Council, a body of ten voting Player Members that elects four directors to represent Player Members. I began serving as a director in July 2023; I was recently re-elected by the Player Advisory Council for another term that commenced January 2025. The ten voting members of the ATP Tour Player Advisory Council are elected by a vote of specific groups within the Player Members, with each group voting to elect specific members of the ATP Tour Player Advisory Council.

3) A crucial part of my function as one of the Player Members' board representatives (and of the ATP Tour Player Advisory Council) is to regularly be in contact with Player Members, to address issues with them, to receive player feedback, and to apprise and advise them on various steps being taken or considered by ATP Tour.

4) I reviewed Wajid Mir Syed's March 21, 2025 declaration from this case. That declaration inaccurately describes an interaction I had on March 19, 2025, with a Player Member (the "Individual").

5) On March 18, 2025, I and other board representatives of the Player Members had a meeting in Miami, at the Miami Open, a major professional tennis tournament. The meeting included several Player Members who are among the most highly ranked men's players in the world (as well as some of the most highly ranked women's players in the world), including the Individual. One purpose of the meeting was to discuss long-ongoing efforts by the ATP Tour, the WTA Tour (a professional women's tour), and Player Members to obtain more benefits for players, including higher compensation for participation in the four "Grand Slams" which are not a part of the ATP Tour. Specifically, we discussed the top tennis players signing onto a letter to the Grand Slam operators, which had been the subject of much discussion over many months, setting forth those Player Members' position and making certain demands. At the meeting, some Player Members also asked about this case, which had been filed earlier that day by the Professional Tennis Players Association (the "PTPA") and others.

6) The next day, March 19, 2025, I saw the Individual at the Miami Open tennis facilities and told him that I had the final version of the letter to the Grand Slam operators, as well as an update on the PTPA lawsuit and a proposed position on the lawsuit. The Individual told me that he was available to speak after his practice, which we subsequently did as we

walked together toward the locker room (an area to which I have authorized access as a player representative on the Board). I explained to the Individual that many highly ranked Player Members had signed the letter to the Grand Slam operators and gave him the option of signing the letter. The Individual said he wanted to consider the matter further.

7) I then showed the Individual the separate position statement on the PTPA's lawsuit. The preparation of this statement was initiated by the ATP Tour Player Advisory Council, who felt that the PTPA is not accurately setting forth various facts. The statement was as follows:

We, the undersigned Player members of the ATP Tour, understand that the PTPA and certain players have brought a lawsuit against the ATP Tour and other tennis entities. We wish to make clear that we are not members of the PTPA, that the PTPA does not represent us, and that we are not supportive of this litigation against the ATP.

8) The position statement was styled so that all signatures would appear on a single document. I let the Individual know that the document would be available for his signature at ATP Tour's office (where the document was being kept), if he was interested in doing so.

9) Contrary to Mr. Syed's declaration, I did not ask the Individual to sign the position statement at that time; the Individual did not ask to consult a lawyer or to take a photograph of the statement (and I would not have interfered with his doing either); and I did not say I would speak to the ATP Tour Chairman (or anyone else) about obtaining the Individual's signature. The suggestion in Mr. Syed's declaration that I attempted to coerce or pressure the Individual (or anyone else) is false.

10) As a director of ATP Tour, particularly as one appointed by the ATP Tour Player Advisory Council, I view the PTPA's lawsuit as detrimental to the mission of ATP Tour, including its mission to support the interests of its Player Members. By holding itself out in this lawsuit and in public statements as an alternative or shadow representative of men's

professional tennis players, the PTPA erodes Player Members' trust in, and the healthy functioning of, ATP Tour. For that reason, I consider it important for all Player Members to understand truthful information about the PTPA and this lawsuit, and for those who are not supportive of this lawsuit to say so publicly.

Dated: Paris, France
March 23, 2025

A handwritten signature in black ink, appearing to read "Luben Pampoulov", written over a horizontal line.

Luben Pampoulov